

PT-1 Long Distance, Inc.

P.S.C. Ky. No. 1

Cancels P.S.C. Ky. No. _____

PT-1 Long Distance, Inc.

of

30-50 Whitestone Expressway
Flushing, New York 11354

Rates, Rules and Regulations for Furnishing
INTRASTATE TELECOMMUNICATION SERVICES

AT

COMMONWEALTH OF KENTUCKY

FILED WITH PUBLIC SERVICE COMMISSION OF
KENTUCKY

ISSUED March 3,

20 00

EFFECTIVE April 26 2000,

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

ISSUED BY PT-1 Long Distance, Inc.
(Name of Utility)

APR 15 2000

PURSUANT TO 807 KAR 5.011,
SECTION 9.01

BY Jerry Ginsberg

BY: S. [Signature]
SECRETARY OF THE COMMISSION

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All of the pages of this Tariff are effective as of the date shown at the top of the page. Original and revised pages as named below comprise all changes from the original Tariff.

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Date of Issue: March 3, 2000

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**CONCURRING, CONNECTING OR
OTHER PARTICIPATING CARRIERS**

None

SYMBOLS

The following are the only symbols used for the purposes indicated below:

- D - Delete Or Discontinue
- I - Change Resulting In An Increase To A Customer's Bill
- M - Moved To Or From Another Tariff Location
- N - New
- R - Change Resulting In A Reduction To A Customer's Bill
- T - Change In Text Or Regulation But No Change In Rate Or Charge

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TARIFF FORMAT

- A. Page Numbering - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially. However, new pages are occasionally added to the Tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4th revised page 14 cancels the 3rd revised page 14.
- C. Paragraph Numbering Sequence - There are six levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.1
 - 2.1.1
 - 2.1.1 (A)
 - 2.1.1 (A).1
 - 2.1.1 (A).1.a
 - 2.1.1 (A).1.a.i
- D. Check Pages - When a Tariff filing is made with the Commission, an updated check page accompanies the Tariff filing. The check page lists the pages contained in the Tariff with a cross-reference to the current revision number. When new pages are added, the check page is changed to reflect the revision.

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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

10XXX or 101XXXX Access: A dialing method that enables a Customer to reach the exchange or interexchange carrier of the Customer's choice even if the Customer is not a regular Customer of that carrier. For example, to reach AT&T Communications of New England, Inc., the Customer dials 10288.

Access Code: The Access Code is the 101XXXX Access number.

Authorized User: A person, firm or corporation, who is authorized by the Customer/Subscriber to utilize the services of the Customer/Subscriber.

Company: Company refers to PT-1 Long Distance, Inc.

Commission: Commission refers to the Public Service Commission of Kentucky or any succeeding agency.

Customer: The Customer is a person or legal entity which uses or subscribes to the Company's services and thereby assumes responsibility for the payment of charges and compliance with the Company's Tariff regulations.

DUC: DUC stands for Designated Underlying Carrier.

End User: End User is the person or legal entity which uses the service provided by the Company.

Initial and Additional Period: The Initial Period denotes the interval of time allowed at the rate specified for a connection between given service points. The Additional Period denotes the interval of time used for measuring and charging time in excess of the Initial Period.

LEC: LEC stands for Local Exchange Carrier. PUBLIC SERVICE COMMISSION
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MRC: Monthly Recurring Charge

APR 15 2000

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PURSUANT TO 807 KAR 5.011, Effective Date: April 15, 2000
SECTION 9 (1)
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SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Qualified Minutes: Qualified Minutes are minutes of use to Canada, the United Kingdom, or domestic locations. Calls to Directory Assistance do not count as Qualified Minutes.

State: "State" refers to the Commonwealth of Kentucky.

Subscriber: The Subscriber is a person or legal entity which subscribes to or dials the Company's services and thereby assumes responsibility for the payment of charges and compliance with the Company's Tariff regulations.

Switched Access: A method of reaching the Company through the local switched network whereby the End User uses standard business or residential local lines.

Underlying Carrier: "Underlying Carrier" refers to any interexchange carrier that provides long distance services resold by the Company pursuant to this Tariff.

U.S.F.: U.S.F. stands for Universal Service Fund.

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SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of the Company

- 2.1.1 This tariff contains the regulations and rates applicable to intrastate resale telecommunications services provided by Company for telecommunications between points within the State. The Company's services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff. Service is furnished for communications originating and terminating at points within the State under terms of this Tariff. The Company operates as a reseller and resells the services of the DUC.
- 2.1.2 Company's services are not part of a joint undertaking with any other entity providing telecommunications channels, facilities or services, but do involve the resale of the Message Toll Services (MTS), switch network services, private lines and Wide Area Telecommunications Services (WATS) of underlying common carriers.
- 2.1.3 The rates and regulations contained in this tariff apply only to the services furnished by Company and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carrier for use in accessing the services of Company.
- 2.1.4 The Subscriber is entitled to limit the use of Company's services by Users at the Subscriber's facilities, and may use other common carriers in addition to or in lieu of Company.

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SECTION 2 - RULES AND REGULATIONS

2.2 Limitations On Service

- 2.2.1 Service is offered by the Company subject to the availability of necessary facilities, equipment and/or billing arrangements with the DUC and/or LEC. Necessary facilities and equipment may include but is not limited to facilities or equipment to be provided by Company, connecting carriers, underlying carriers, owners and operators of transmission capacity leased to Company or the LEC.
- 2.2.2 The Company reserves the right to discontinue service without liability, or to limit the use of service when necessitated by conditions beyond the Company's control, or when the Customer is using service in violation of the law or in violation of the provisions of this Tariff.
- 2.2.3 The Company undertakes to use reasonable efforts to make available services to a customer on or before a particular date, subject to the provisions of and compliance by the Customer with the regulations contained in this tariff. The Company does not guarantee availability by any such date and shall not be liable for any delays in commencing services to any Customer.

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SECTION 2 - RULES AND REGULATIONS

2.2 Limitations On Service (continued)

2.2.3 Conditions under which the Company may, without notice, terminate service without liability include, but are not limited to:

- (A) Insufficient or fraudulent billing information or invalid or unauthorized telephone numbers; or,
- (B) Any order or decision of a court or other governmental authority prohibits the Company from offering such service; or,
- (C) The Company deems termination necessary to protect the Company or third parties against fraud, or to otherwise protect the Company's personnel, agents, or service; or,
- (D) Customer's or End User's misuse of the DUC's network or the Company's switching equipment; or
- (E) Customer's or End User's use of the DUC's network or the Company's switch for any fraudulent or unlawful purpose; or,
- (F) Emergency, threatened, or actual disruption of service to other Customers; or
- (G) Unauthorized or fraudulent procurement of service, including a misrepresentation of fact relevant to the conditions under which the applicant or Customer may obtain or continue to receive service; or

PUBLIC SERVICE COMMISSION
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EFFECTIVE

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PURSUANT TO 807 KAR 5011,
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SECTION 2 - RULES AND REGULATIONS

2.2 Limitations On Service (continued)

2.2.4 Conditions under which the Company may, with notice, terminate service without liability include, but are not limited to:

- Customer's use of the service constitutes a violation of either the provisions of this Tariff, or of any laws, or government rules, regulations, or policies; or,
- Non-payment of any sum owed the Company.

2.2.5 Initial and continuing service is offered subject to the availability of necessary facilities, billing services, and/or equipment, including those to be provided by the DUC(s), the Company, the CAP(s), or the LEC.

2.2.6 Service is furnished subject to the condition that there will be no abuse or fraudulent use of the service. Abuse or fraudulent use of service includes, but is not limited to:

- (A) Use of service of the Company for a message or messages, anonymous or otherwise, if in a manner reasonably to be expected to frighten, abuse, torment, or harass another; or
- (B) Use of service in such a manner as to interfere unreasonably with the use of service by one or more other Customers; or
- (C) Any calls placed by means of illegal equipment, service, or device.

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SECTION 2 - RULES AND REGULATIONS

2.2 Limitations On Service (continued)

- 2.2.7 The Company's failure to give notice of default, to enforce or insist upon compliance with any of the terms or conditions herein, to grant a waiver of any term or conditions herein, or to grant the Customer an extension of time for performance, will not constitute the permanent waiver of any such term or condition herein. Each of the provisions will remain, at all time, in full force and in effect until modified in writing, signed by the Company and Customer.
- 2.2.8 To control fraud, service may be discontinued by the Company without incurring liability by blocking all traffic or by blocking traffic to or from certain NPA-NXXs, cities, or individual telephone stations for any service offered under this Tariff. Service will be restored at Company's option as soon as it can be provided without undue risk and only after accounts have been brought current.
- 2.2.9 The Company reserves the right to change DUCs at any time.
- 2.2.10 The Company reserves the right, without incurring liability, to refuse to provide service to or from any location where the necessary facilities, billing arrangements, and/or equipment are not available.
- 2.2.11 The Customer obtains no property right or interest in any specific type of facility, service, connection, equipment, number process or code. All right, title and interests to such items remain, at all times, solely with the Company.

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SECTION 2 - RULES AND REGULATIONS

2.3 Limitation of Liability

The Company's liability will be limited to that expressly assumed in Paragraphs 2.3.1 through 2.3.9 of this Tariff and that arises in connection with the provision of service to Customer.

2.3.1 The Company will not be liable for:

- (A) Any act or omission of any other company or companies furnishing a portion of the service or furnishing facilities or equipment associated with such service.
- (B) Damages caused by the fault or negligence or misconduct of the Customer.
- (C) Any failure to provide or maintain service under this Tariff due to circumstances beyond the Company's reasonable control.
- (D) Any direct, indirect, consequential, special, actual, or punitive damages, or for any lost profits of any kind or nature whatsoever arising out of any furnishing of, or interruption in, service provided hereunder, absent a determination of willful misconduct by the Company through judicial or administrative proceedings.

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2.3 Limitation of Liability (continued)

2.3.1 (continued)

- (E) Any special or consequential damages or any lost profits of any kind or nature arising out of the furnishing of or interruption in service contained in this Tariff.
- (F) The use or abuse of any service described herein by any party including, but not limited to, the Customer's employees or members of the public. "Use or abuse" includes, but is not limited to, any calls placed by means of PBX-reorigination or any other legal or illegal equipment, service, or device. In the case of 800 service, this also applies to third parties who dial the Customer's 800 number by mistake.
- (G) Any action, such as blocking or refusal to accept certain calls, that Company deems necessary in order to prevent fraudulent or unlawful use of its service. Compensation for any injury the Customer may suffer due to the fault of parties other than the Company must be sought from such other parties. The liability provided for above, will, in each case, be in addition to any amounts that may otherwise be due the Customer under this Tariff as a credit allowance for the interruption of service.

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SECRETARY OF THE COMMISSION

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SECTION 2 - RULES AND REGULATIONS

2.3 Limitation of Liability (continued)

- 2.3.2 Interruptions, delays, errors, or defects caused by or contributed to, directly or indirectly, by act or omission of Customer or its customers, affiliates, agents, contractors, representatives, invitees, licensees, successors, or assignees or which arise from or are caused by the use of facilities or equipment of Customer or related parties, will not result in the imposition of any liability whatsoever upon the Company. In addition, all of the service may be provided over facilities of third parties, and the Company will not be liable to Customer or any other person, firm, or entity in any respect whatsoever arising out of defects caused by such third parties.
- 2.3.3 With respect to service provided hereunder, the Company hereby expressly disclaims, without limitation, all warranties not stated in this Tariff, whether express, implied or statutory, and in particular disclaims all implied warranties of merchantability and of fitness for a particular purpose.
- 2.3.4 The Company may rely on CAPS, LECs, DUCs, or other third parties to provide a portion of the Company's service.
- 2.3.5 No contractors, agents or employees of connecting, concurring or other participating carriers or companies will be deemed to be contractors, agents or employees of the Company without the Company's written authorization.
- 2.3.6 Under no circumstances whatsoever will the Company or its officers, agents, or employees be liable for indirect, incidental, special or consequential damages.

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SECTION 2 - RULES AND REGULATIONS

2.3 Limitation of Liability (continued)

2.3.7 The Company will not be liable for any failure of performance hereunder due to causes beyond its control including, but not limited to:

- (A) Unavoidable interruption in the working of transmission facilities; or
- (B) Natural disasters such as storms, fire, flood, or other catastrophes; or
- (C) Any law, order, regulation, direction, action or request of the United States Government, or any other governmental entity having jurisdiction over the Company or of any department, agency, commission, bureau, corporation or other instrumentality of any one or more of such governmental entity, or of any civil or military authority; or
- (D) National emergencies, insurrections, riots, rebellions, wars, strikes, lockouts, work stoppages, or other labor difficulties; or
- (E) Notwithstanding anything in this Tariff to the contrary, the unlawful acts of individuals, including acts of the Company's agents and employees if committed beyond the scope of their employment.

2.3.8 The Company will use its best efforts to provide competent services consistent with industry standards. The Company will have no liability to the Customer for any loss of revenue or any other direct, special, incidental, consequential, or other damages the Customer may sustain resulting from the failure or inability of the Company to provide service to its Customers, Cardholders, Subscribers, or End Users; negligent or defective services to Customers, Cardholders, Subscribers, or End Users; equipment, computer, network, or electrical malfunctions or any kind, breakdowns, or outages; or any other cause, whether or not within the control of the Company.

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SECTION 2 - RULES AND REGULATIONS

2.3 Limitation of Liability (continued)

2.3.9 In the event the Company or the DUC learn of possible fraudulent use of any Company services, the Company will make an effort to contact the Customer, but service may be terminated or blocked without notice and without liability to the Company.

2.3.10 Acceptance by the Commission of the liability provisions contained in this Tariff does not constitute its determination that the limitation of liability imposed by the Company should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this Tariff.

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SECTION 2 - RULES AND REGULATIONS

2.4 Use of Service

- 2.4.1 The service offered herein may be used for any lawful purpose, including residential, business, governmental, or other use. There are no restrictions on sharing of service. However, the Customer remains liable for all obligations under this Tariff notwithstanding such sharing and regardless of the Company's knowledge of same. The Company will have no liability to any person or entity other than the Customer and only as set forth herein. The Customer will not use nor permit others to use the service in a manner that could interfere with service provided to others or that could harm the facilities of the Company or others.
- 2.4.3 Service furnished by the Company will not be used for any unlawful or fraudulent purposes such as use of electronic devices, invalid numbers, and false credit devices to avoid payment for service contained in this Tariff either in whole or in part. Service furnished by the Company will not be used to make calls which might reasonably be expected to frighten, abuse, torment, or harass another. Nor will service be used for any purpose for which any payment or other compensation is received by the Customer except when the Customer is a communications common carrier, a resale common carrier, or an enhanced or electronic service provider who has subscribed to the Company's service. However, this provision does not preclude an agreement between the Customer, authorized user, or joint user to share the cost of the service as long as this arrangement generates no profit for anyone participating in a joint use or authorized use arrangement.
- 2.4.4 The Company does not transmit messages pursuant to this tariff, but its services may be used for that purpose.

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SECTION 2 - RULES AND REGULATIONS

2.5 Obligations of the Customer

2.5.1 The Customer will indemnify, defend, and hold the Company harmless from and against:

- (A) Any claim asserted against the Company (and all attorney fees and expenses incurred by the Company with respect thereto) arising out of or relating to the failure of the Company to provide service to Customers, Cardholders, or End Users.
- (B) Any and all liabilities, costs, damages, and expenses (including attorney's fees), resulting (1) from Customer (or its employees's agent's or independent contractor's) actions hereunder, including, but not limited to breach of any provision in this Tariff, misrepresentation of Company services or prices, or unauthorized or illegal acts of the Customer, its employees, agents, or independent contractor.
- (C) Claims for libel, slander, infringement of patent or copyright, or unauthorized use of any trademark, trade name, or service mark arising out of Customer's material, data, information, or other content transmitted via service.
- (D) Violation by Customer of any other literary, intellectual, artistic, dramatic, or musical right.
- (E) Violations by Customer of the right to privacy.

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2.5 Obligations of the Customer

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2.5.1 (continued)

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(F) Any other claims whatsoever relating to or arising from message content or the transmission thereof.

(G) All other claims arising out of any act or omission of the Customer in connection with service provided by the Company.

(H) Any loss, claim, demand, suit, or other action, or any liability whatsoever, whether suffered, made, instituted or asserted by the Customer or by any other party or persons, for any personal injury to, or death of, any person or persons, and for any loss, damage or destruction of any property, whether owned by the Customer or others, caused or claimed to have been caused directly or indirectly by the provision of service, where such loss, claim, demand, suit, action, or liability is not the direct result of the Company's negligence or willful misconduct.

2.5.2 If a Customer directly or indirectly authorizes third parties to use the service, the Customer will indemnify and hold the Company harmless against any and all claims, demands, suits, actions, losses, damages, assessments or payments which may be asserted or demanded by said parties.

2.5.3 If Dedicated Access is a required condition for subscribing to one of the Company's services, the Customer is responsible for obtaining the Dedicated Access.

2.5.4 The Subscriber is responsible for the payment of charges for calls originated at the Subscriber's telephone numbers, dedicated circuits, PIN, Authorization Code or card numbers which are not collect, third party, calling card, or credit card calls.

SECTION 2 - RULES AND REGULATIONS

2.6 Application For Service

To obtain service other than the Company's 101XXXX Access Service, the Applicant must sign and complete a service agreement and sign a letter of agency. The Applicant must also establish credit satisfactory to the Company as provided in Paragraph 2.7.

2.7 Establishment of Credit

2.7.1 Applicant

For all non-prepaid services, the Company reserves the right to require all Applicants to establish credit worthiness to the reasonable satisfaction of the Company. Upon receipt of the signed application, the Applicant will be deemed to have authorized the Company to obtain such routine credit information and verification as the Company requires. In the case of a business Customer, the Company may, at its discretion, require personal guarantees from the Customer's owners or officers of all Customer's liabilities and obligations to the Company.

2.7.2 Customer

If the conditions of services or the basis on which credit was originally established have materially changed, an existing Customer may be required to establish additional credit. The Company reserves the right to examine the credit record and check the references of any Customer at any time.

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SECTION 2 - RULES AND REGULATIONS

2.8 Customer Deposits

2.8.1 Customer Deposits

(A) The Company may require a minimum cash deposit or other guaranty to secure payment of bills. Service may be refused or discontinued for failure to pay the requested deposit.

(B) Determining Whether a Deposit Will Be Required or Waived

In determining whether a deposit will be required or waived, the following criteria will be considered:

- .1 Previous payment history with the Company. If the Customer has no previous history with the Company, statements from other utilities, banks, etc. may be presented by the Customer as evidence of good credit.
- .2 Whether the Customer has an established income or line of credit.
- .3 Length of time the Customer has been located in the area.
- .4 Whether the Customer owns property in the area.
- .5 Whether the Customer has filed bankruptcy proceedings within the last seven years.
- .6 Whether another Customer with a good payment history is willing to sign as a guarantor for an amount equal to the required deposit.

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2.8 Customer Deposits (continued)

2.8.1 Customer Deposits (continued)

(C) Amount of Deposit

Business Customer's deposits shall be based upon actual usage of the Customer at the same or similar premises for the most recent 12-month period, if such information is available. If usage information is not available, the deposit will be based on the average bills of similar Customers and premises in the system. The deposit shall not exceed 2/12 of the Customer's actual or estimated annual bill.

(D) Return of Deposit

The deposit may be waived upon a Customer's showing of satisfactory credit or payment history, and required deposits will be returned after one (1) year if the Customer has established a satisfactory payment record for that period. If a deposit has been waived or returned and the Customer fails to maintain a satisfactory payment record, a deposit may then be required. Upon termination of service, the deposit, any principal amounts, and any interest earned and owing will be credited to the final bill with any remainder refunded to the Customer.

(E) Interest on Deposits

Interest as prescribed by KRS 278.460, will be paid annually either by refund or credit. No refund or credit will be made if the Customer's bill is delinquent on the anniversary date of the deposit.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

Date of Issue: March 3, 2000

APR 15 2000

Effective Date: April 15, 2000

Issued By: Jerry Ginsberg, Vice President

PURSUANT TO 807 KAR 5:011,
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30-50 Whitestone Expressway
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2.8 Customer Deposits (continued)

2.8.1 Customer Deposits (continued)

(F) Deposits Held Longer Than 18 Months

If a deposit is held longer than 18 months, the deposit will be recalculated at the Customer's request based on the Customer's actual usage. If the deposit on account differs from the recalculated amount by more than 10% the Company may collect any underpayment and shall refund any overpayment by check or credit to the Customer's bill. No refund will be made if the Customer's bill is delinquent at the time of the recalculation.

(G) Receipt

The Company shall issue a written receipt of deposit to each Customer from whom a deposit is received showing the name of the Customer, address, date, and amount of the deposit.

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2.9 Payment For Services

2.9.1 Methods Of Payment

The Company may utilize direct billing and LEC billing. The selection of the billing option is made by the Company.

(A) Direct Billing By Company Or Authorized Billing Agent

- .1 Call detail is included with the bill. The due date is disclosed on the bill. Payment in full is due within twenty-two (22) days of the invoice date on the bill.
- .2 If the bill is not paid within thirty (30) days from the invoice date, the Company may impose a late charge of 1.5% per month on the delinquent amount. The penalty will be assessed only once on any bill for service rendered in accordance with 807 KAR 5:006, Section 8 (3) (h). The late payment penalty charge will not be assessed on unpaid penalty charges. Any payment received will first be applied to the bill for services rendered.

(B) LEC Billing

With LEC billing, the Customer's charges for Service(s) are billed with the Customer's bill for local service. Call detail is included with the bill. If LEC billing is utilized, the rules and regulations applying to rendering and payment of the bill and late charges are the same as covered in the applicable LEC tariff. The Company will make every effort to post any credit due to the Customer account(s) on the Customer's next LEC bill. However, based on the date of the resolution of a dispute and the date credits must be provided to the LEC, it may be two or more billing cycles before a credit will be issued.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

Date of Issue: March 3, 2000

APR 15 2000

Effective Date: April 15, 2000

Issued By: Jerry Ginsberg, Vice President

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY: Stephanie Sull
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2.9 Payment For Services (continued)

2.9.2 Disputes with respect to charges must be received by the Company in writing within sixty (60) days from the date shown as the bill date of the invoice or such invoice will be deemed to be correct and binding on the Customer. Written responses must be sent to the Company's customer service organization as per Paragraph 2.10.

2.9.3 In the event the Company incurs fees or expenses, including attorney's fees, in collecting, or attempting to collect, any charges owed the Company, the Customer will be liable to the Company for the payment of all such fees and expenses reasonably incurred.

2.9.4 Billing Format

Bills rendered to Customers by the Company contain the following information:

Date of Bill Rendering	Company Name
Service Dates	Due Date
Past Due Date	Current Amount Due
Call duration	Call Type
Total Charges per Call	Taxes
Total Charges for Company Services	Toll Free Number
Date and Time of Each Call	
Past Due Amount (if applicable)	
Past Due Penalties (if applicable)	
Originating Location Telephone Number and Terminating Number	

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

APR 15 2000

Date of Issue: March 3, 2000

Issued By: Jerry Ginsberg, Vice President

PURSUANT TO 807 KAR 5.011.
SECTION 9(1)
BY: Stephan D. Bell
SECRETARY OF THE COMMISSION

Effective Date: April 15, 2000

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SECTION 2 - RULES AND REGULATIONS

2.10 Customer Service

2.10.1 General

Customer service may be contacted in writing at 30-50 Whitestone Expressway, Flushing, New York 11354. Customers may contact customer service by dialing a toll-free 800 number. The 800/888 number is listed on the bill. Customer service representatives are available 8:00 AM to 9:00 PM eastern time six days a week excluding holidays. After hours and on holidays, the Customer may reach a Company representative by leaving a message.

2.10.2 Billing Inquiries

Billing inquiries must be submitted to the Company in writing. If the Customer is not satisfied with the Company's resolution of a billing inquiry, the Customer may make application to the Commission for review and disposition of the matter.

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SECTION 9 (1)
BY: Stephan D. Bell
SECRETARY OF THE COMMISSION

Date of Issue: March 3, 2000

Effective Date: April 15, 2000

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2.11 Termination of Service By Company

2.11.1 Conditions Under Which the Company May Refuse or Terminate Service

- (A) For noncompliance with the Company's tariffed rules or Commission regulations. However, the Company will not terminate service without having made a reasonable effort to obtain Customer compliance. Service will be refused or terminated after the Company has given the Customer or Applicant at least ten (10) days' written notice.
- (B) For dangerous conditions. The Company will notify the Customer immediately in writing and, if possible, orally, of the reasons for the termination or refusal. The notice shall include the corrective action to be taken by the Customer before Service can be restored or provided.
- (C) For noncompliance with state, local or other codes. The Company will terminate Service only after ten (10) days' written notice in accordance with 807 KAR 5:006, Section 14 (1) (e), unless ordered to terminate Service immediately by a governmental official.
- (D) For nonpayment of bills from the Company. The Company will terminate Service only after five (5) days' written notice, unless ordered to terminate immediately by a governmental official. Under no circumstance will Service be terminated in less than twenty (20) days' after the mailing of the original unpaid bill.

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EFFECTIVE

APR 15 2000

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY: Stephan D. Bell
SECRETARY OF THE COMMISSION

Date of Issue: March 3, 2000

Effective Date: April 15, 2000

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2.11 Termination of Service By Company (continued)

2.11.2 Conditions Under Which the Company May Refuse or Terminate Service
(continued)

- (E) For illegal use or theft of Service. The Company may terminate Service to a Customer without advance notice if the Company has evidence that a Customer has obtained unauthorized Service by illegal use or theft. Within twenty-four (24) hours after such termination, the Company will send written notification to the Customer of the reasons for termination of Service, and of the Customer's right to challenge the termination by filing a formal complaint with the Commission.

2.11.3 Conditions Under Which the Company Will Not Terminate Service

- (A) The Company will not terminate Service if payment for Services is made. Following receipt of a termination notice for nonpayment but prior to actual termination of Service, there is delivered to the Company payment of the amount in arrears, Service will not be terminated.
- (B) The Company will not terminate Service if a payment agreement is in effect. Service will not be terminated for nonpayment if the Customer and the Company have entered into a partial payment plan and the Customer is in compliance with that agreement.

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EFFECTIVE

APR 15 2000

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)

BY: Stephan B. Bell
SECRETARY OF THE COMMISSION

Date of Issue: March 3, 2000

Effective Date: April 15, 2000

Issued By: Jerry Ginsberg, Vice President

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SECTION 2 - RULES AND REGULATIONS

2.12 Timing of Calls

Timing of calls begins when the called party answers the call (i.e. when two way communications are established.) Answer detection is based on standard industry answer detection methods including hardware answer supervision provided by the DUC and software answer detection. Chargeable time ends when one of the parties disconnects from the call.

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BY: Stephan D. Bell
SECRETARY OF THE COMMISSION

Date of Issue: March 3, 2000

Effective Date: April 15, 2000

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2.13 Initial and Additional Period

Calls are billed in various increments depending on the service subscribed to by the Customer. For all services, fractions of an increment are rounded up to the next highest increment. Initial period and additional period are shown for each service in the rate tables.

2.14 Rounding

2.14.1 All calls are billed in the billing increments as set forth in the description for each service. Calls that terminate between increments will be rounded to the next highest increment. For example, a call with a one (1) minute increment lasting 35 seconds will be rounded to one (1) minute.

2.14.2 Once the call duration, in billing increments is computed, the appropriate per minute charges, as listed in the rate schedules will be applied to the call. Calls with charges that include a fraction of a cent .5 or greater will be rounded to the next highest cent. For example, a Customer making a call with a computed charge of \$1.434 will be charged \$1.43 and a Customer making a call with a computed charge of \$1.435 will be charged \$1.44.

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PURSUANT TO 807 KAR 5:011,
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BY: Stephan D. Bell
SECRETARY OF THE COMMISSION

Date of Issue: March 3, 2000

Effective Date: April 15, 2000

Issued By: Jerry Ginsberg, Vice President

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SECTION 2 - RULES AND REGULATIONS

2.15 Taxes

In addition to the charges specifically pertaining to services, certain federal, state, and local surcharges, taxes, and fees apply to services. These taxes, surcharges, and fees are calculated based upon the point of origination of the call, the point of termination of the call, the length of each call, and the taxing jurisdiction's rules and regulations.

All federal, state, and local taxes, surcharges, and fees (i.e., sales tax, gross receipts tax, municipal utilities tax, universal service fund assessments, etc.) are listed on the Customer's invoices, and unless otherwise specified herein, are not included in the rates listed in Section 4 of this Tariff.

2.16 Restoration of Services

The use and restoration of services in emergencies will be in accordance with the priority system specified in Part 64, Subpart D of the rules and regulations of the Federal Communications Commission.

2.17 Promotional Offerings

The Company may, from time-to-time, engage in special promotional service offerings designed to attract new Customers or to increase existing Customer's awareness of a particular service offering. These promotional offerings may apply only to certain service arrangements, and may be limited to certain dates, times, and/or locations.

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APR 15 2000

PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)

BY: Stephen O. Sullivan
EFFECTIVE DATE: April 15, 2000
SECRETARY OF THE COMMISSION

Date of Issue: March 3, 2000

Issued By: Jerry Ginsberg, Vice President

30-50 Whitestone Expressway
Flushing, New York 11354

SECTION 3 - DESCRIPTION OF SERVICES

3.1 Outbound Services

3.1.1 General

All Switched Access services are only available in equal access areas. The selection of the DUC is made by the Company.

3.1.2 Non-Primary Interexchange Carrier Service

Non-Primary Interexchange Carrier Service is inter-LATA and intra-LATA toll service available to businesses, except hospitals, payphones, hotels and in-mate only facilities, and residences that demonstrate credit-worthiness. Non-Primary Interexchange Carrier Service is available via a 10XXX or 101XXX access code. Billing for Non-Primary Interexchange Carrier Service is completed through the Customer's LEC where available. Non-Primary Interexchange Carrier Service Customers are billed in arrears. If the Customer uses a calling plan with a monthly recurring charge, that monthly charge is charged for every billing or calendar month in which a customer uses the service as defined by placing a call from a working telephone number.

Rate schedules for this service are based on the following rate periods:

Day: 7:00 A.M. through 6:59:59 P.M.

Night: 7:00 P.M. through 6:59:59 A.M.

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EFFECTIVE

APR 15 2000

PURSUANT TO 807 KAR 5:011,
SECTION 9 (1)
BY: Stephen O. Bell
SECRETARY OF THE COMMISSION

Date of Issue: March 3, 2000

Effective Date: April 15, 2000

Issued By: Jerry Ginsberg, Vice President

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SECTION 3 - DESCRIPTION OF SERVICES

3.1.2 Non-Primary Interexchange Carrier Service (continued)

.1 Non-Primary Interexchange Carrier Service - Plan A

Customers who select Non-Primary Interexchange Carrier Service are billed in increments of one (1) minute, in addition to a monthly service charge.

.2 Non-Primary Interexchange Carrier Service - Plan B

Customers who select Non-Primary Interexchange Carrier Service are billed in increments of one (1) minute.

.3 Non-Primary Interexchange Carrier Service - Plan C

Customers who select Non-Primary Interexchange Carrier Service are billed in increments of one (1) minute.

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SECRETARY OF THE COMMISSION

Date of Issue: March 3, 2000

Effective Date: April 15, 2000

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SECTION 3 - DESCRIPTION OF SERVICES

3.2 Directory Assistance

3.2.1 Description of Service

Intrastate Directory Assistance involves the supplying of assistance in determining or attempting to determine the telephone number of a party.

3.2.2 Availability of Service

Directory assistance is available to any Customer that has access to the directory assistance bureau of the DUC.

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Date of Issue: March 3, 2000

Effective Date: April 15, 2000

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SECTION 4 - RATES AND CHARGES

4.1 Outbound Services - Switched Access

4.1.1 Non-Primary Interexchange Carrier Service

.1 Non-Primary Interexchange Carrier Service - Plan A

Billing Period 1 minute		Monthly Service Charge
Day	Night	\$3.95
\$.0790	\$.0790	

.2 Non-Primary Interexchange Carrier Service - Plan B

Billing Period 1 minute		Monthly Service Charge
Day	Night	\$0.00
\$.0790	\$.0790	

.3 Non-Primary Interexchange Carrier Service - Plan C

Billing Period 1 minute				Monthly Service Charge
Initial Period		Additional Period		\$0.00
Day	Night	Day	Night	
\$.350	\$.200	\$.350	\$.200	

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EFFECTIVE

APR 15 2000

PURSUANT TO 807 KAR 5:011,
SECTION 9(1)
BY: Stephan D. Bue
SECRETARY OF THE COMMISSION

Date of Issue: March 3, 2000

Effective Date: April 15, 2000

Issued By: Jerry Ginsberg, Vice President

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SECTION 4 - RATES AND CHARGES

4.2 Directory Assistance

The charge is \$.85 per call.

4.3 Miscellaneous Charges

4.3.1 Return Check Charge

If a Customer's check is returned by the bank, the Company may charge the Customer a return check charge. The amount of the return check charge is \$15.00.

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